

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

GERALD CORNELIUS ELDRIDGE,	§	
	§	
	§	
Petitioner,	§	
	§	
v.	§	CIVIL NO. H-05-1847
	§	
RICK THALER, Director,	§	
Texas Department of Criminal	§	
Justice-Correctional Institutions	§	
Division,	§	
	§	
Respondent.	§	
	§	

ORDER DENYING PETITIONER'S MOTION FOR STAY

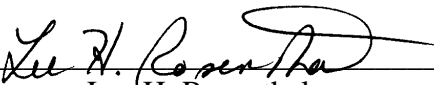
The petitioner, Gerald Cornelius Eldridge, a Texas death row inmate, has filed a motion for a stay. Eldridge is represented by attorneys from the Texas Defender Service ("TDS"), "a non-profit organization established in 1995 by experienced death penalty attorneys."¹ Eldridge's motion cites letters from the United States Court of Appeals for the Fifth Circuit to TDS lawyers in other cases asking them to provide additional information in support of their fee vouchers. Eldridge's counsel interprets these letters as statements that the Fifth Circuit will not pay TDS vouchers, and states that counsel cannot continue to work on this case without pay.

The letters from the Fifth Circuit are not, as Eldridge claims, a blanket denial of all TDS vouchers. Rather, they ask the attorneys in those cases to demonstrate that they are entitled to the fees sought in their vouchers. Moreover, as the respondent points out, there is no evidence that counsel in this case has been denied payment. Based on the present record, the petitioner's Motion

¹ See <http://www.texasdefender.org/about>.

to Stay Proceedings, (Docket Entry 153), is denied.

SIGNED on June 10, 2011, at Houston, Texas.



Lee H. Rosenthal
United States District Judge